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Patent

Attorney Docket: 126442-100008

THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE THE APPLICATION OF:)

Correale P., et al.)

Serial No.: 10/691,125)

Filed: October 21, 2003)

For: PTH-RP RELATED PEPTIDE)
CANCER THERAPEUTICS)

Group Art Unit: Not Yet Assigned

Examiner: Rooke, Agnes

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with 37 CFR §§ 1.97 and 1.98, the items identified in this Information Disclosure Statement ("IDS") are brought to the attention of the Office. The items are listed on the attached Form PTO-1449 and copies are enclosed for the convenience of the Examiner.

The items identified in the IDS may or may not be "material" pursuant to 37 CFR § 1.56. The submission thereof by Applicant is not to be construed as an admission that any such patent, publication or other information referred to therein is material or considered to be material (37 CFR § 1.97(h)), or even qualifies as "prior art" under 35 USC § 102 with respect to this invention unless specifically designated by Applicant as such.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information, as defined in 37 CFR 1.56, exists.

CERTIFICATE OF MAILING
(37 C.F.R. §1.10)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

May 4, 2005
Date of Deposit
LAI-2078223v1

Lorraine Telles
Name of Person Mailing Paper

Lorraine Telles
Signature of Person Mailing Paper

INFORMATION DISCLOSURE STATEMENT FILING PROVISION:

☒ This IDS is believed to be timely in that it is being submitted under 37 CFR § 1.97(b), that is (1) within three months of the filing date of the application, which is not a continued prosecution application filed under § 1.53(d); or (2) within three months of entry of the national stage as set forth in 37 CFR § 1.491; or (3) before the mailing of a first Office action on the merits; or (4) before the mailing of a first Office action after filing a request for continued examination under § 1.114. Thus, no fee is required.

☒ However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider the IDS as filed under 37 CFR § 1.97(c), if applicable, and charge the fee due under 37 CFR § 1.17(p) to the deposit account referenced below.

☐ However, if the undersigned is in error in this regard, Applicant respectfully request that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and a statement under 37 CFR § 1.97(e) is included below, thus no fee is required.

☐ This IDS is being submitted under 37 CFR § 1.97(c), that is after mailing of a first Office action on the merits, but before a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311.

☐ The fee due under 37 CFR § 1.17(p) is submitted herewith.

☐ A statement under 37 CFR § 1.97(e) is included below, thus no fee is required. In the event that this IDS is not received before a Final Action or a Notice of Allowance, the Applicant respectfully request that the Office consider the filing of these papers to be submitted under 37 CFR § 1.97(d) and charge the fee due under 37 CFR § 1.17(p) to the deposit account below.

STATEMENT UNDER 37 CFR § 1.97(e):

☐ Each item contained in this IDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS.

☐ No item contained in the IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this statement after making reasonable inquiry, no item of information contained in the IDS was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this IDS.


PAYMENT AND/OR AUTHORIZATION TO CHARGE FEES:

- ☐ A check in the amount of _____ is enclosed for the above fees(s).
☐ Please charge _____ to Deposit Account No. **50-1432** for the above fee(s).
☒ The Commissioner is authorized to charge any fees required by the filing of these papers,
and to credit any overpayment to Jones Day Deposit Account No. **50-1432**.

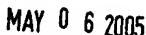
Respectfully submitted,

JONES DAY

Dated: May 4, 2005

By: 
Rebekka C. Noll
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Substitute for form 1449/PTO

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Sheet 1

of 6

Complete if Known

Application Number	10/691,125
Filing Date	October 21, 2003
First Named Inventor	Correale, Pierpaolo
Art Unit	To be determined
Examiner Name	To be determined
Attorney Docket Number	126442-100008

U. S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
	1	WO 00/61612	04-03-2000	Corixa Corp.		
	2	WO 01/81415 A1	04-27-2001	Amgen Inc.		

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ²Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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FORM PTO-1449 (Modified) U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE <div style="text-align: center;">INFORMATION DISCLOSURE STATEMENT BY APPLICANT</div> (Use several sheets if necessary)		Application No.: 10/691,125 Filing Date: October 21, 2003 First Named Inventor: Correale, Pierpaolo Art Unit: To be determined Examiner Name: To be determined Atty Docket No.: 126442-100008 Title: PTH-rP Related Peptide Cancer Therapeutics	
(37 CFR 1.98(b))			
NON PATENT LITERATURE DOCUMENTS			
OTHER DOCUMENTS (Including Author, Title, Date**, Relevant pages, Place of Publication***)			
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Examiner		Date Considered	
EXAMINER: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.			

**INFORMATION DISCLOSURE
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(37 CFR 1.98(b))

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Title: PTH-rP Related Peptide Cancer Therapeutics

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Examiner

Date Considered

EXAMINER: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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First Named Inventor: Correale, Pierpaolo

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NON PATENT LITERATURE DOCUMENTS

OTHER DOCUMENTS (Including Author, Title, Date, Relevant pages, Place of Publication***)**

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